

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MARK POST, an individual; and
MT DANK TANK, LLC.
an Oklahoma limited liability company,

Plaintiffs,

vs.

BRANDI JO CHRISTIAN, an individual; and
BRANDI JO ENTERPRISES, INC.
an Oklahoma corporation; and

Defendants.

Civil Action No. CIV-22-967-HE

**DECLARATION OF MARK POST
IN SUPPORT OF PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Mark Post, declare under penalty of perjury under the laws of the State of Oklahoma that the following statements are true and correct:

1. I am a resident of the State of Oklahoma; my business address is 1301 S. Rock Island Ave., El Reno, Oklahoma 73036; and I am over eighteen years of age.

2. MT Dank Tank, LLC is a medical cannabis dispensary, operating as a limited liability company organized under the laws of the State of Oklahoma and wholly owned by Mrs. Teri Figueroa, with its principal place of business in El Reno, Oklahoma. I am currently the manager of MT Dank Tank. I have held that position since March 2022.

3. From about November 2020 to about March 2022, I managed and controlled the branding associated with the dispensary at the Original El Reno Location as well as sister dispensaries located in Weatherford and Sayre. On or about December 3, 2022, I uploaded my Copyrighted Work to the Facebook Page associated with the Original El Reno Location. I also uploaded my Copyrighted Work on the social media pages of Defendants' Weatherford Location and Defendants' Sayre Location.

4. I have personal knowledge of the history of communications between the parties, including public statements and communications made by Brandi Jo Enterprises, Inc. through its various social media accounts, including Facebook and Instagram. I also have personal knowledge about the false and misleading statements Ms. Brandi Jo Christian, individually, and in her capacity as an operating officer of Brandi Jo Enterprises, has made about myself and MT Dank Tank.

5. On November 21, 2022, Defendants made available on their Facebook page, "Brandi & Barry DANK TANK El Reno," which is associated with Defendants' El Reno location, a post which states in part: "For those of you who have been asking we ARE NOT GOING ANYWHERE! And that is not Brandi & Barry DANK TANK Elreno [sic] in the old building!!!". A true and correct copy of the Facebook post is attached to this declaration as Exhibit 1.

6. The "old building" mentioned in the aforementioned Facebook post refers to the building currently occupied by Plaintiff MT Dank Tank, LLC, located at 1301 S. Rock Island Ave., El Reno, Oklahoma 73036—the Original El Reno Location.

7. MT Dank Tank LLC is the exclusive licensee of my copyrighted work, which is included in ¶ 1 of the Verified Complaint that I signed on November 9, 2022. A true and correct copy of the Copyright License Agreement between MT Dank Tank LLC and me, dated June 23, 2022, and granting MT Dank LLC exclusive rights to reproduce, perform publicly, display, transmit, distribute, and/or create derivative works based on my copyrighted work is attached hereto as Exhibit 2.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 23, 2022


MARK POST